



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bradley A. Ozenberger *et al.*

Application No.: 09/774,936

Art Unit: 1647

Filed: 01/31/2001

Examiner: Stephen Gucker

For:  $\beta$ -Amyloid Peptide Binding Proteins  
and Polynucleotides Encoding The Same

Customer No.: 22204

**Commissioner for Patents**

P.O. Box 1450

Alexandria, VA 22313-1450

**PETITION PURSUANT TO 37 CFR 1.78(a)(3)**

Applicants respectfully request the Commissioner to accept the priority claim of the present application. The present application is a continuation of U.S. Patent Application Serial No. 09/172,990, filed October 14, 1998, now pending, which is a continuation-in-part of U.S. Patent Application Serial No. 09/060, 609, filed April 15, 1998, now abandoned, which claims benefit of U.S. Provisional Application 60/064,583, filed April 16, 1997. Applicants submit that the entire delay between the date the priority claim was due under 37 CFR 1.78(a)(2)(ii) and the date the priority claim is filed is unintentional. A surcharge set forth in 37 CFR 1.17(t) is included herewith.

Respectfully submitted,

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